#### NALVEN & SCHACHT ATTORNEYS AT LAW

30-16 STEINWAY STREET, SECOND FLOOR ASTORIA, NEW YORK 11103 TELEPHONE: (718) 204 - 0738

FACSIMILE: (718) 726 - 6891

PAUL R. NALVEN\*
ALEXEI SCHACHT

\*MEMBER OF NEW YORK
AND NEW JERSEY BARS

CHAMSTAR I. LEO GLASSE U. S. D. J.

February 21, 2006

**FILED** 

IN CLERK'S OFFICE U.S. DISTRICT COURT E.D.N.Y.

MAR 08, 2006

NEW JERSEY OFFICE

70 SOUTH ORANGE AVENUE, SUITE 106 LIVINGSTON, NEW JERSEY 07039 TELEPHONE: (973) 655-1000 FACSIMILE: (973) 992-0431

TIME A.M.

The Honorable I. Leo Glasser United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re: United States v. Gennady Klotsman, 98 Cr. 1069 (ILG)

Dear Judge Glasser:

This law firm represents Gennady Klotsman whom your Honor sentenced to serve 72 months in prison, three years of supervised release and to pay \$40,000,0000 in restitution. I write seeking the Court's permission for Mr. Klotsman to travel to and from Moscow, Russia so that he may work there.

Mr. Klotsman has been released from prison and will shortly have completed the halfway house portion of his sentence. Since about October 3, 2005, Mr. Klotsman has been working at Brunlow Ltd. ("Brunlow"), a real estate investment firm owned primarily by Semyon "Sam" Kislin, an old family friend of Mr. Klotsman's, who is a highly successful investor and philanthropist. Indeed, Mr. Kislin and Mr. Klotsman's father have been friends for years and the two families know each other for generations.

Mr. Klotsman now works as a clerk for Brunlow, in its Manhattan office, for a salary of about \$400.00 per week. Mr. Klotsman's job at Brunlow is relatively menial and his salary is commensurate with that position. In any event, his employment there is scheduled to end on about March 31, 2006 as that office will be closing and Mr. Kislin will be moving to live in Russia full-time. As such, Mr. Klotsman's help will no longer be needed in New York.

More importantly, through Mr. Kislin, Mr. Klotsman has the ability to now work in the burgeoning real estate development field in Moscow, Russia. Mr. Kislin knows Mr. Klotsman is a capable, hard-working, creative and intelligent person. He wants to help Mr. Klotsman and, unlike many who do not know Mr.

## **NALVEN & SCHACHT**

Klotsman or other convicted felons, Mr. Kislin does not feel that Mr. Klotsman's felony fraud conviction should disqualify him from having a good responsible job.

Mr. Kislin, through another real estate investment firm he controls, has offered Mr. Klotsman a wonderful employment opportunity for the TRI Group ("TRI"). I have enclosed a copy of the job proposal, and salary (minimum salary of \$75,000 plus a percentage of profits), from TRI. This job would require Mr. Klotsman to spend time in Moscow. Depending upon the success of these development projects Mr. Klotsman would be eligible to earn a large amount of money, possibly far in excess of his \$75,000 salary.

The essence of the work that Mr. Klotsman would be doing is as follows: TRI owns about 4500 acres of largely undeveloped land just outside of the Moscow "circle" (i.e., downtown Moscow). TRI wants to develop this land for commercial and residential purposes. For example, some of the land will be turned into medium-cost housing for people who would then commute to Moscow for work. This is a classic example of developing valuable land in a suburb of a major city as that city's economy expands. Mr. Klotsman would be one of the people at TRI in charge of developing and selling this land.

Mr. Kislin has told me that the potential profits from this project, given Russia's growing economic situation, are potentially in the hundreds of millions of dollars. Should the Court approve this proposal Mr. Kislin would need Mr. Klotsman to be in Moscow in advance of the largest Moscow real estate fair which begins on April 20, 2006.

I have already forwarded this proposal to the Probation Department ("Department") asking that he be permitted to accept this job and giving him permission to travel, with advance notice to the Department, to Moscow for that purpose. Probation has informed me that while they do not necessarily object to this arrangement only the Court may authorize it.

Of course, it is understandable that Mr. Klotsman would like to have the opportunity to accept an interesting and more lucrative job, especially since he is otherwise scheduled to be unemployed on April 1, 2006. But it is really in everyone's interest that Mr. Klotsman be allowed to accept this job. This is because Mr. Klotsman, and his codefendants, are responsible for a massive amount of restitution. Because Mr. Kislin is giving Mr. Klotsman this unusual opportunity it may be the only real chance that he will have to make any kind of a dent in the restitution. And, as mentioned above, there is a chance that he will be able to make more than a dent and to pay perhaps millions of dollars in

## NALVEN & SCHACHT

restitution. Obviously this is an outcome that would please the victims in the case.

Of course, should your Honor wish to know more about the job proposal please have a member of your staff contact me and I can make Mr. Klotsman and/or Mr. Kislin available to the Court or Probation Department.

Thank you so much for considering this request.

Respectfully submitted,

Alexei Schacht

#### **Enclosures**

cc: Probation Officer Michael Wassmer Gennady Klotsman



# ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО «ТРАНСРЕГИОНИНВЕСТ»

January 15, 2006

To Whom It May Concern:

### Re: Gennady Klotsman

I am the Director and principal owner of TRI Group, a major real estate investment and development company with the majority of its assets in Russia and the Ukraine. TRI Group's headquarters are in Moscow, Russia. I write to confirm that Mr. Gennady Klotsman, who is currently, employed with one of our United States affiliates Brunlow Ltd. has been offered an opportunity to work for the TRI Group in our Moscow

Mr. Klotsman's annual salary would be \$75,000, plus TRI Group would pay for his living expenses in Russia and for all necessary travel between New York and Moscow and the Ukraine. In addition TRI Group would consider compensating Mr. Klotsman in an additional amount of up to 5% of gross profits, should the Russian and Ukrainian projects prove sufficiently successful.

We seek Mr. Klotsman's help in, among other things, developing a sizable parcel of land in Moscow and in several Ukrainian real estate projects. Mr. Klotsman's knowledge of corporate finance and real estate project development will be extremely beneficial to our business development. Mr. Klotsman's knowledge of the Russian language and culture could be in particular critically important to the development of our projects and corporate development.

Sam Kislin